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**10/574334**  
Attorney Docket No.: 28069-624-NATL

**AP20 Rec'd PCT/PTO 31 MAR 2006**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Rudi Mueller-Walz  
INT'L. FILING DATE: October 8, 2004  
INT'L. APPLICATION NUMBER: PCT/IB2004/003481 SERIAL NUMBER: Not Yet Assigned  
ART UNIT: Not Yet Assigned EXAMINER: Not Yet Assigned  
FOR: AEROSOL FORMULATION COMPRISING FORMOTEROL FUMARATE DIHYDRATE

**Mail Stop PCT**  
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Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the

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information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.


The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 28069-624-NATL.

Respectfully submitted,

MINTZ, LEVIN, COHN, FERRIS  
GLOVSKY & POPEO P.C.

Dated: March 31, 2006

  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Modified Form 1449/PTO	U.S. Application Number	Not Yet Assigned
		Int. Application Number	10/524534
		Int. Filing Date	October 8, 2004
		First Named Inventor	Rudi Mueller-Walz
		Group Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	28069-624 NATL

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue/Pub. Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1	6,054,488	04/25/00	M.J. Oliver et al.	514	646	06/02/1998
	A2	6,475,467	11/05/02	M. Keller et al.	424	45	04/20/2001 (§ 371 Date)
	A3	US2002/0018753 A1	02/14/02	F.E. Blondino et al.	424	45	06/19/1998
	A4	US2003/0114428 A1	06/19/03	J.A. Sequeira et al.	514	170	08/28/2002
	A5	US2002/0103260 A1	08/01/02	J.G. Clarke et al.	514	630	08/15/2001

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B1	EP	1 325 765	Novartis AG	July 9, 2003	X	
	B2	WO	03/074024	Chiesi Farmaceutici S.P.A.	September 12, 2003	X	
	B3	WO	00/48587	Novartis-Erfindungen Verwaltungsgesellschaft M.B.H.	August 24, 2000	X	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	GB Search Report dated January 29, 2004 corresponding to GB 0323684.1
	C2	International Search Report mailed February 15, 2005 corresponding to PCT/IB2004/003481

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.